

Attorney Docket No. B6/B12 DIV3

Applicant : Charles Weissmann
Application No. : 08/487,280
Confirmation No. : 7534
Filed : June 7, 1995
For : DNA SEQUENCES, RECOMBINANT DNA
MOLECULES AND PROCESSES FOR PRODUCING
HUMAN INTERFERON-LIKE POLYPEPTIDES
Group Art Unit : 1631
Examiner : James Martinell

Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

New York, New York
July 15, 2003

TRANSMITTAL LETTER

Sir:

Transmitted herewith: ☒ Amendment and Reply to January 16, 2003 Office Action; ☒ Copy of the Notice of Draftsperson's Patent Drawing Review (PTO-948); ☒ 31 Sheets of Formal Drawings; ☒ Petition Under 37 C.F.R. § 1.136(a) For A Three-Month Extension of Time (in duplicate); ☒ a Check for \$930.00 in payment of the required extension fee; ☒ Express Mail Certification; ☐ a substitute Specification; ☐ a Declaration; ☐ a Supplemental Declaration; ☐ a Power of Attorney; ☐ an Associate Power of Attorney; ☐ formal drawings; to be filed in the above-identified patent application.

FEE FOR ADDITIONAL CLAIMS

☐ A fee for additional claims is not required.

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[X] A fee for additional claims is required.

The additional fee has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEES
TOTAL CLAIMS	16	- 20	= 0	X \$ 18 =	\$0
INDEPENDENT CLAIMS	12	- 3	= 9	X \$ 84 =	\$756.00
FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM				+ \$280 =	\$280.00
* If less than 20, insert 20.				TOTAL	<u>\$1036.00</u>
** If less than 3, insert 3.					

[] A check in the amount of \$_____ in payment of the filing fee is transmitted herewith.

[X] The Director is hereby authorized to charge payment of any additional filing fees required under 37 C.F.R. § 1.16, in connection with the paper(s) transmitted herewith, or credit any overpayment of same, to deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.

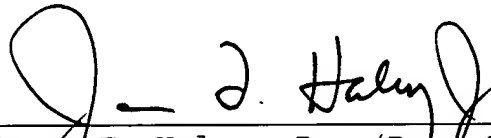
[X] Please charge \$1036.00 to Deposit Account No. 06-1075 in payment of the filing fee. A duplicate copy of this transmittal letter is transmitted herewith.

EXTENSION FEE

[X] The following extension is applicable to the Response filed herewith; [] \$110.00 extension fee for response within first month pursuant to 37 C.F.R. § 1.136(a); [] \$410.00 extension fee for response within second month pursuant to 37 C.F.R. § 1.136(a); [X] \$930.00 extension fee for response within third month pursuant to

37 C.F.R. § 1.136(a); ☐ \$1,450.00 extension fee for response within fourth month pursuant to 37 C.F.R. § 1.136(a); \$1,970.00 within fifth month pursuant to 37 C.F.R. § 1.136(a).

- ☒ A check in the amount of ☐ \$110.00; ☐ \$410.00; ☒ \$930.00; ☐ \$1,450.00; ☐ \$1,970.00 in payment of the extension fee is transmitted herewith.
- ☒ The Director is hereby authorized to charge payment of any additional fees required under 37 C.F.R. § 1.17 in connection with the paper(s) transmitted herewith, or to credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.
- ☐ Please charge the ☐ \$110.00; ☐ \$410.00; ☐ \$930.00; ☐ \$1,450.00; ☐ \$1,970.00; extension fee to Deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.



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Form PTO-948 (Rev. 10-94)

U.S. DEPARTMENT OF COMMERCE - Patent and Trademark Office

Application No. 487280

NOTICE OF DRAFTSPERSON'S PATENT DRAWING REVIEW

PTO Draftpersons review all originally filed drawings regardless of whether they are designated as formal or informal. Additionally, patent Examiners will review the drawings for compliance with the regulations. Direct telephone inquiries concerning this review to the Drawing Review Branch, 703-305-8404.

The drawings filed (insert date) 6-7-95, are
a. ☐ not objected to by the Draftsperson under 37 CFR 1.84 or 1.152
b. ☒ objected to by the Draftsperson under 37 CFR 1.84 or 1.152 as indicated below. The Examiner will require submission of new, corrected drawings when necessary. Corrected drawings must be submitted according to the instructions on the back of this Notice.

1. DRAWINGS. 37 CFR 1.84(a): Acceptable categories of drawings:
— Black ink. Color.
— Not black solid lines. Fig(s) _____
— Color drawings are not acceptable until petition is granted. Fig(s) _____
2. PHOTOGRAPHS. 37 CFR 1.84(b)
— Photographs are not acceptable until petition is granted. Fig(s) _____
— Photographs not properly mounted (must use brylstat board or photographic double-weight paper). Fig(s) _____
— Poor quality (half-tone). Fig(s) _____
3. GRAPHIC FORMS. 37 CFR 1.84(d)
— Chemical or mathematical formula not labeled as separate figure. Fig(s) _____
— Group of waveforms not presented as a single figure, using common vertical axis with time extending along horizontal axis. Fig(s) _____
— Individuals waveform not identified with a separate letter designation adjacent to the vertical axis. Fig(s) _____
4. TYPE OF PAPER. 37 CFR 1.84(c)
— Paper not flexible, strong, white, smooth, nonshiny, and durable. Sheet(s) _____
— Erasures, alterations, overwritings, interlineations, cracks, creases, and folds copy machine marks not accepted. Fig(s) _____
— Mylar, velum paper is not acceptable (too thin). Fig(s) _____
5. SIZE OF PAPER. 37 CFR 1.84(f): Acceptable sizes:
21.6 cm. by 35.6 cm. (8 1/2 by 14 inches)
21.6 cm. by 33.1 cm. (8 1/2 by 13 inches)
21.6 cm. by 27.9 cm. (8 1/2 by 11 inches)
21.0 cm. by 29.7 cm. (DIN size A4)
— All drawing sheets not the same size. Sheet(s) _____
— Drawing sheet not an acceptable size. Sheet(s) _____
6. MARGINS. 37 CFR 1.84(g): Acceptable margins:

Paper size

21.6 cm. X 35.6 cm. (8 1/2 X 14 inches)	21.6 cm. X 33.1 cm. (8 1/2 X 13 inches)	21.6 cm. X 27.9 cm. (8 1/2 X 11 inches)	21.0 cm. X 29.7 cm. (DIN Size A4)
T 5.1 cm. (2")	2.5 cm. (1")	2.5 cm. (1")	2.5 cm.
L .64 cm. (1/4")	.64 cm. (1/4")	.64 cm. (1/4")	2.5 cm.
R .64 cm. (1/4")	.64 cm. (1/4")	.64 cm. (1/4")	1.5 cm.
B .64 cm. (1/4")	.64 cm. (1/4")	.64 cm. (1/4")	1.0 cm.

Margins do not conform to chart above.

Sheet(s) 1-4, 7, 13, 29, 30, 31

— Top (T) — Left (L) — Right (R) — Bottom (B)

7. VIEWS. 37 CFR 1.84(h)
REMINDER: Specification may require revision to correspond to drawing changes.
— All views not grouped together. Fig(s) _____
— Views connected by projection lines or lead lines. Fig(s) _____
— Partial views. 37 CFR 1.84(h) 2

- ☒ View and enlarged view not labeled separately in a part. Fig(s) 3, 5, 11, 18, 24
Sectional views. 37 CFR 1.84(h) 2
— Hatching not indicated for sectional portions of an object. Fig(s) _____
— Cross section not drawn same as view with part in cross section with regularly spaced parallel oblique strokes. Fig(s) _____
8. ARRANGEMENT OF VIEWS. 37 CFR 1.84(i)
☒ Words do not appear on a horizontal, left-to-right fashion when page is either upright or turned so that the top becomes the right side, except for graphs. Fig(s) 7
9. SCALE. 37 CFR 1.84(k)
— Scale not large enough to show mechanism with crowding when drawing is reduced in size to two-thirds in reproduction. Fig(s) _____
— Indication such as "actual size" or scale 1/2" not permitted. Fig(s) _____
10. CHARACTER OF LINES, NUMBERS, & LETTERS. 37 CFR 1.84(l)
☒ Lines, numbers & letters not uniformly thick and well defined, clean, durable, and black (except for color drawings). Fig(s) 1-32
11. SHADING. 37 CFR 1.84(m)
— Solid black shading areas not permitted. Fig(s) _____
— Shade lines, pale, rough and blurred. Fig(s) _____
12. NUMBERS, LETTERS, & REFERENCE CHARACTERS. 37 CFR 1.84(p)
☒ Numbers and reference characters not plain and legible. 37 CFR 1.84(p)(1) Fig(s) 1-32
— Numbers and reference characters not oriented in same direction as the view. 37 CFR 1.84(p)(1) Fig(s) _____
— English alphabet not used. 37 CFR 1.84(p)(2) Fig(s) _____
☒ Numbers, letters, and reference characters do not measure at least .32 cm. (1/8 inch) in height. 37 CFR(p)(3) Fig(s) 1-32
13. LEAD LINES. 37 CFR 1.84(q)
— Lead lines cross each other. Fig(s) _____
— Lead lines missing. Fig(s) _____
14. NUMBERING OF SHEETS OF DRAWINGS. 37 CFR 1.84(r)
— Sheets not numbered consecutively, and in Arabic numerals, beginning with number 1. Sheet(s) _____
15. NUMBER OF VIEWS. 37 CFR 1.84(u)
— Views not numbered consecutively, and in Arabic numerals, beginning with number 1. Fig(s) _____
— View numbers not preceded by the abbreviation Fig. Fig(s) _____
16. CORRECTIONS. 37 CFR 1.84(w)
— Corrections not made from prior PTO-948. Fig(s) _____
17. DESIGN DRAWING. 37 CFR 1.152
— Surface shading shown not appropriate. Fig(s) _____
— Solid black shading not used for color contrast. Fig(s) _____

COMMENTS:

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REMINDER

Drawing changes may also require changes in the specification, e.g., if Fig. 1 is changed to Fig. 1A, Fig. 1B, Fig. 1C, etc., the specification, at the Brief Description of the Drawings, must likewise be changed. Please make such changes by 37 CFR 1.312 Amendment at the time of submitting drawing changes.

INFORMATION ON HOW TO EFFECT DRAWING CHANGES

1. Correction of Informalities—37 CFR 1.85

File new drawings with the changes incorporated therein. The application number or the title of the invention, inventor's name, docket number (if any), and the name and telephone number of a person to call if the Office is unable to match the drawings to the proper application, should be placed on the back of each sheet of drawings in accordance with 37 CFR 1.84(c). Applicant may delay filing of the new drawings until receipt of the Notice of Allowability (PTOL-37). Extensions of time may be obtained under the provisions of 37 CFR 1.136. The drawing should be filed as a separate paper with a transmittal letter addressed to the Drawing Review Branch.

2. Timing of Corrections

Applicant is required to submit acceptable corrected drawings within the three-month shortened statutory period set in the Notice of Allowability (PTOL-37). If a correction is determined to be unacceptable by the Office, applicant must arrange to have acceptable correction resubmitted within the original three-month period to avoid the necessity of obtaining an extension of time and paying the extension fee. Therefore, applicant should file corrected drawings as soon as possible.

Failure to take corrective action within set (or extended) period will result in **ABANDONMENT** of the Application.

3. Corrections other than Informalities Noted by the Drawing Review Branch on the Form PTO 948

All changes to the drawings, other than informalities noted by the Drawing Review Branch, **MUST** be approved by the examiner before the application will be allowed. No changes will be permitted to be made, other than correction of informalities, unless the examiner has approved the proposed changes.



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Group Art Unit : 1631
Examiner : James Martinell

"Express Mail" mailing label number: EI125462148US.
Date of Deposit: July 15, 2003.

I hereby certify that this paper/fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to the Hon. Commissioner for Patents, P.O. Box 1450, Alexandria, V.A. 22313-1450.


Lillian Garcia

Encls.:

- (1) Transmittal Letter (in duplicate);
- (2) Amendment and Reply To Office Action;
- (3) Copy of the Notice of Draftsperson's Patent Drawing Review (PTO-948);
- (4) 31 Sheets of Formal Drawings;
- (5) Petition Under 37 C.F.R. § 1.136(a) For Extension of Time (in duplicate);
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- (7) Postcard.